

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JERRY FRANK STANLEY, C80900,

Plaintiff,

v.

HEATHER E. WILLIAMS, et al.,

Defendant(s).

Case No. [21-cv-08347-CRB](#) (PR)

ORDER OF DISMISSAL

Plaintiff has filed a letter advising the clerk and court that he “do[es] not wish to file a civil suit C 21-cv-08347-CRB” and instead wants two “habeas corpus forms.” Letter (ECF No. 5) at 1. The letter is construed as a notice of voluntary dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(i) and, pursuant thereto, the action is DISMISSED without prejudice. See American Soccer Co. v. Score First Enters., 187 F.3d 1108, 1110 (9th Cir. 1999) (plaintiff’s “absolute right” to dismiss his action voluntarily before defendants serve answer or motion for summary judgment leaves no role for court to play).

The clerk is directed to send plaintiff two blank habeas petition forms and to close the case and terminate all pending motions as moot.

IT IS SO ORDERED.

Dated: November 22, 2021



CHARLES R. BREYER
United States District Judge